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**Via Facsimile:**

May 9, 2008

Hon. Magistrate Judge Andrew J. Peck  
United States District Court Judge  
U.S. Courthouse Southern District of New York  
500 Pearl Street,  
New York, New York 10007

**Re: Jannie Pilgrim, Giovanna Henson, Jesan Spencer, Brenda Curtis v.  
The McGraw Hill Companies, Inc. Index No. Civil Action 07-6618  
(CM)(AJP)**

Dear Hon. Chief Judge Peck:

Our firm represents the Plaintiffs in the above captioned matter. We received Defendant's application dated May 8, 2008 towards the end of the day, and I personally received Defendant's papers when I returned to the office at or about 9:00 P.M. on May 8, 2008. I had attended an arbitration matter that did not conclude until late in the evening, last night. I have begun to review Defendant's application this morning and respectfully believe that responsive supporting affidavits, transcript references and memorandum in opposition to the application are necessary to oppose the application. It is respectfully submitted that our office and Plaintiffs acted in good faith, that Defendant's misrepresent the facts, and that the relief and sanctions Defendant seeks are not warranted. In order for us to respond we will need to review the transcripts in the case, clarify issues related to the documents, and obtain affidavits from one or more of the Plaintiffs to address some of the issues presented. We also have an application concerning the issues presented at the deposition of Defendant's witness Mr. Vlad Stadnyck on May 7, 2008 that necessitated our calling Chambers during the deposition.

Your Honor, we respectfully request the Court's permission to respond to the Defendant's application by hand delivery on Friday morning, May 16, 2008. We make this request because we are engaged in a pre-scheduled business conference this Saturday, in Pennsylvania that cannot be adjourned; Sunday is Mother's Day; and we have three depositions scheduled on Monday, May 12, 2008; Wednesday May 14, 2008 (Defendant's Witness in this case, Ms. Sarah McCauley) and Thursday, May 15, 2008. We are currently scheduled to appear in Court on May 16, 2008 at 2:00 o'clock P.M.

**MEMO ENDORSED**

*Reluctantly agreed. However I do not  
like it but will work with the Plaintiff's  
at this time.*

Cc: Gregory Rasin, Esq. (via facsimile)

Respectfully submitted,

Lawrence Solotoff

**BY FAX**

*and jsp*  
SO ORDERED:  
Hon. Andrew Jay Peck  
United States Magistrate Judge

*wpj: apw  
jpm*

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

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Dated: May 9, 2008

Total Number of Pages: 2

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Gregory I. Rasin, Esq.	212-969-2900

## **TRANSCRIPTION:**

**MEMO ENDORSED 5/9/08**

**Reluctantly approved. However, it makes it likely the Court will not be able to rule on it at the conference.**

**Copy to: Judge Colleen McMahon**